

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00192

LEONARD LEWIS HARE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On December 7, 2017, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Leonard Lewis Hare, appeared in person and by his counsel, George H. Lancaster, Jr., Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Lilla M. Adkins. The defendant commenced a three-year term of supervised release in this action on August 12, 2015, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on February 11, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant violated state and local law on May 17, 2017, by driving on a suspended license as evidenced by his plea of guilty on August 25, 2017, in the Municipal Court of St. Albans, West Virginia, for which was ordered to pay a fine and court costs; (2) the defendant used and possessed controlled substances as evidenced by his admission on August 2, 2016, to the probation officer that he used methamphetamine on July 27, 2016; positive urine specimens submitted by him on August 8 and 25, 2016, for amphetamine and methamphetamine; a positive urine specimen submitted by him on September 26, 2016, for methamphetamine; a positive urine specimen submitted by him on October 4, 2016, for amphetamine and methamphetamine; a positive urine specimen submitted by him on October 10, 2016, for amphetamine, methamphetamine and morphine; a positive urine specimen submitted by him on October 18, 2016, for methamphetamine; a positive urine specimen submitted by him on October 24, 2016, for amphetamine and methamphetamine; positive urine specimens submitted by him on November 3 and 14, 2016, for amphetamine and methamphetamine; positive urine specimens submitted by him on

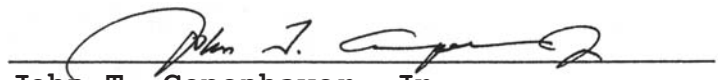
January 9 and 10, 2017, for amphetamine and methamphetamine; a positive urine specimen submitted by him on January 19, 2017, for methamphetamine; positive urine specimens submitted by him on July 17 and 20, 2017, for marijuana; and a positive urine specimen submitted by him on September 21, 2017, for morphine; (3) the defendant failed to report for drug testing as instructed on September 23 and 27, November 8 and 29, December 15, 2016, and September 21, 2017; and (4) the defendant failed to report for group therapy as instructed on October 6 and 20, November 8 and 29, and December 15, 2016; June 14 and 28, July 5 and 19, August 9, 16, 23 and 30, September 6, 13 and September 20, 2017; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TIME SERVED to be followed by a term of thirty-five (35) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special condition that he spend a period of six (6) months in a community confinement center and make himself available for substance abuse counseling and treatment, and random urine screens, as directed by the probation officer.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 15, 2017

  
John T. Copenhaver, Jr.  
United States District Judge